

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, April 2, 2003 7:00 PM
City Council Chambers, Bath City Hall

ROLL CALL: Councilors Hall, Winglass, Blake, Wyman, Rogers, Mitchell and Chairman James
Absent: Councilors Hart and Daigle

Also in attendance were the City Manager - John Bubier, Acting City Solicitor - Michael Therriault and City Clerk - Mary White.

Chairman James led the Council in the Pledge of Allegiance and City Clerk White called the Roll.

C. Presentations – 7:05 PM #136

Senator Arthur Mayo III spoke to Council regarding the overview as to what is taking place in Augusta that would affect Bath in way of tax cuts, school funding, gas tax etc. and the Tax Reform proposals.

The presentation from Darla Jewett regarding the County Jail project was pulled from the Agenda. Chairman James stated his opposition to the jail project. Several Councilors responded that they could not make a decision for or against the jail without more definite information from the Jail Project Committee.

Jim Upham, City Planner, gave an update on the Bath-Brunswick Walkway Project. The proposed route now may follow Route One between the municipalities. The next step of the project is to apply grants toward the construction of the project. The feasibility study will be finished soon.

Motion by Councilor Winglass, second by Councilor Blake to move agenda Item I. to this position on the Agenda. All in favor.

I. Time Devoted for Residents to Address the City Council – 7:45 PM #1384

Dan Donovan of 1017 Washington Street spoke to Council regarding the possible closing of the Huse School Kindergarten Center and moving the School Department Administration to another location.

D. Committee Reports – 7:53 PM #1627

Councilor Wyman gave reports for the following Committees:

- Sidewalk Vending - working on rewrite of Vending Ordinance;
- Skatepark Committee - newsletter, web site, leases ready, March had over 1,000 kids;
- Bath Housing Authority Board – yearend financial reports, housing units are full and waiting lists are for 12-24 months.

Councilor Winglass reported on the progress of the Southend Park Committee and that they are now working on grant writing.

Councilor Blake reported that the Parking Committee would be meeting soon to take up current issues.

Chairman James stated there would be a recycling day at the landfill on April 22, 2003 to recycle old computers and televisions.

Councilor Hall that reported the School Board and Union #47 met and have hired Richard Barnes to do a study. Mr. Barnes will present a profile of the financial and governing aspects of a union of the two

school entities. Councilor Hall stated that the School Board would be holding a Public Hearings at Dike-Newell School on April 8, 2003 on the School Budget.

E. Correspondence/Petitions - 8:12 PM #2249

John Bubier, City Manager, introduced Sean Grambrel, coordinator of the project, who spoke regarding the proposed Community Garden Project to be located near the Lambert Park project.

Councilor Blake stated the County Commissioners would be holding a Public Hearing on the County Budget on April 8, 2003.

Chairman James showed a newly minted coin representing the Bath Police Department. These coins were given to all Councilors and have been given to citizens that have done tasks to promote Community Policing efforts. He then spoke regarding the decision Council has to make on the color the Carleton Bridge will be painted. Chairman James also reported that the Fire and Codes Departments are still working on the inventory of meeting places in regards to fire code.

F. Manager's Report – 8:25 PM #2728

City Manager spoke regarding the following items:

- Hiring new Finance Director, Ralph Lenfestey
- Tax Reform Day April 15th at the Legislature
- Parking issues at the Community College
- Service Center Communities stats and legislation

G. Public Hearings – 8:50 PM #3563

(2) Ordinance: Amendment to the LUC Zoning Map – Waterfront Zone Change at request of landowner (second passage)

This Public Hearing was taken out of turn on the agenda.

Ordinance

Whereas, the City Council of the City of Bath, as part of the adoption of the Bath Land Use Code on July 19, 2000, effective August 9, 2000, depicted the boundaries of all Land Use Districts on a Zoning Map of the City of Bath, also dated July 19, 2000, incorporated by reference into the Land Use Code, and

Whereas, it is necessary and appropriate that the boundaries of the Land Use Districts be, from time to time, adjusted and amended, in order to create new districts and adjust boundary lines of existing districts,

Now, Therefore, be it ordained by the City Council of the City of Bath that the Zoning Map of the City of Bath, dated July 19, 2000, be and hereby is amended in accordance with the sketch plan attached hereto and made a part hereof. This change shall be incorporated into and be part of the official zoning map of the City of Bath. The specific adjustment is:

Changing the zoning on the parcel of land designated as Map 45 lot 5 from R6 and RP (Resource Protection) to R6.

[The applicant is the landowner, Beverly Emero, 57 High Street, Bath]

Jim Upham, City Planner, explained the reason this amendment was needed.

Motion by Councilor Mitchell, second by Councilor Rogers to move the question.

Roll Call Vote:

Yeas: Hall, Winglass, Blake, Wyman, Rogers, Mitchell

Nays: None

Ordinance Passed Unanimously 6-0

(1) City of Bath's FY 2003 Public Service Grant Application

Al Smith, CD Director, stated the purpose of the public hearing was to present information about and receive comment on the City of Bath's 2003 CDBG Public Service Grant for up to \$50,000. He described the project as an exciting collaboration of three organizations to provide needed services for homeless and at risk youth. The project will be housed at the Bath Youth Meeting House and Skatepark Center and includes The Merrymeeting Project and Oliver Place. He added that representatives from each of these organizations were there to speak about their role in the Program. He then introduced Jeff Ball from the BYMHSC.

Jeff Ball, Director of the Bath Youth Meeting House and Skatepark Center, briefly described the mission of the Bath Youth Meeting House and Skatepark Center and how the development of the new services for homeless youth fit into the plans for the project. He expressed his pleasure at the working relationship with The Merrymeeting Project and Oliver Place, which is critical to being able to address the significant needs of 72 youth. He introduced Erika Hansen, a representative from The Merrymeeting Project. The Project is a homeless and at risk youth outreach program. Ms. Hansen described the role of her organization in the project. Mariette St. Pierre from Oliver Place, a co-ed Independent Living Program, discussed the value of the program for the youth at Oliver Place. A question and answer period followed.

H. Consent Agenda – 9:00 PM #4093

Motion by Councilor Mitchell, second by Councilor Wyman to accept as presented the Minutes to the March 5 and 19, 2003 Council Meetings.

Vote on Consent Agenda:

Yeas: 6

Nays: 0

Passed Unanimously 6-0

J. Ordinances, Resolutions and Orders – 9:01 PM #4107

J-4 Order: Approving Bid and Contract for Landfill Vertical Height Increase and Leachate Surge Pond Projects

Chairman James read the following Order:

**ORDER
APPROVING BID AND CONTRACT**

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT THE BID OF BRIDGECORP, INC. FOR THE LANDFILL VERTICAL HEIGHT INCREASE AND LEACHATE SURGE POND PROJECTS IN THE AMOUNT OF \$1,745,070.00 IS ACCEPTED, IT BEING THE LOWEST BID SUBMITTED, AND A CONTRACT BY AND BETWEEN THE CITY OF BATH AND BRIDGECORP, INC. IS HEREBY APPROVED AND THE MANAGER IS AUTHORIZED TO EXECUTE THE CONTRACT AND ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION ON BEHALF OF THE CITY OF BATH. THE PROJECT HAS BEEN FUNDED BY THE PROCEEDS OF A BOND AUTHORIZED BY THE VOTERS OF THE CITY OF BATH IN NOVEMBER 2001. THESE FUNDS WILL BE ADMINISTERED THROUGH THE LANDFILL CONSTRUCTION ACCOUNT (LFVH05-875).

Motion by Councilor Wyman, second by Councilor Mitchell to put this Order on the floor for discussion.

Peter Owen, Public Works Director, explained the financing and logistics of this phase of the project.

Motion by Councilor Mitchell, second by Councilor Wyman to move the question.

Vote on Order:

Yeas: 4

Nays: 0

Abstention: 2 (Hall, Winglass)

Order Passed 4-0-2

K. Old Business - 9:20 PM #4914

There was no Old Business.

L. New Business – 9:20 PM #4915

Chairman James stated that the Council would be receiving notices of a Regional Council of Governments Meeting that will address regionalization possibilities and their effects on municipal budgets.

A motion to add an Executive Session to the agenda was made by Councilor Mitchell with a second by Councilor Rogers. All in favor.

Motion by Councilor Rogers, second by Council Mitchell to recess to Workshops. All in favor.

Motion by Councilor Blake, second by Councilor Winglass to go into Executive Session to discuss a property matter. All in favor.

Motion by Councilor Mitchell, second by Councilor Wyman to go past 10:00 PM. All in favor.

Motion by Councilor Winglass, second by Councilor Blake to come out of Executive Session. All in favor.

Motion by Councilor Hall, second by Councilor Mitchell to adjourn the meeting. All in favor. Meeting adjourned at 11:05 PM.

Respectfully submitted:

Mary J. White, City Clerk

Please note: These minutes are not recorded verbatim. A tape recording of the meeting is available for review in the City Clerk's office during regular business hours.